

## **Non-renewals Auto Insurance**

Non-renewal of an automobile insurance policy results in the loss of your coverage. It can only occur at the normal expiration of your policy and must be preceded by at least a forty-five day advance notice to the insured of the insurer's election not to renew the policy and include the specific reason for non-renewal.

An insurer must notify the Insurance Commissioner which method under WV law they have elected to follow to non-renew automobile liability and physical damage insurance policies. Once elected, they must follow this plan for a five-year period.

The two methods of non-renewal an insurer may choose to elect are:

1. An insurer may not fail to renew an outstanding automobile liability or physical damage insurance policy which has been in existence for two consecutive years or longer except for the following reasons:
  - a. The named insured fails to pay the premium for the policy or any installment.
  - b. The policy is obtained through material misrepresentation.
  - c. The insured violates any of the material terms and conditions of the policy.
  - d. The named insured or any other operator, either residing in the same household or who customarily operates an automobile insured under the policy:
    - i. Has had his or her operator's license suspended or revoked during the policy period.
    - ii. Is or becomes subject to a physical or mental condition that prevents the insured from operating a motor vehicle, and the individual cannot produce a certificate from a physician testifying to his or her ability to operate a motor vehicle.
    - iii. The named insured or any other operator, either residing in the same household or who customarily operates an automobile insured under the policy, is convicted of or forfeits bail during the policy period for any of the following reasons:
      1. Any felony or assault involving the use of a motor vehicle.
      2. Negligent homicide arising out of the operation of a motor vehicle.
      3. Operating a motor vehicle while under the influence of intoxicating liquor or of any narcotic drug.
      4. Leaving the scene of a motor vehicle accident in which the insured is involved without reporting it as required by law.

5. Theft of a motor vehicle or the unlawful taking of a motor vehicle.
    6. Making false statements in an application for a motor vehicle operator's license.
  - iv. The named insured or any other operator, either residing in the same household or who customarily operates an automobile insured under the policy, is convicted of or forfeits bail during the policy period for two or more moving traffic violations committed within a period of twenty-four months, each of which results in three or more points being assessed on the driver's record by the division of motor vehicles.
  - v. The named insured or any other operator either residing in the same household or who customarily operates an automobile insured under the policy has had a second at-fault motor vehicle accident within a period of thirty-six months and results in a claim paid by the insurer for each accident.
  - vi. The insurer ceases writing automobile liability or physical damage insurance policies throughout the state or discontinues operations within the state.
2. An insurer may non-renew an automobile liability or physical damage insurance policy for any reason which is consistent with its underwriting standards up to one percent of their in force policies within any given county in the state.

A notice of non-renewal is subject to a hearing and review